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10/693,330

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Patrick Haluptzok

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/693,330

Applicant(s)

HALUPTZOK ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1- 16 and 18-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1- 16 and 18-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 10/12/07 & 4/18/08
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the amendment filed 09/25/2007.

Claims 1- 16 and 18-28 are currently pending. Claims 1-4, 6-11, 15, 16, 18-20, 22, 23, and 25-28 have been amended. Claim 17 has been canceled. Claims 1 and 16 are independent claims.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1- 14 maintain rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 recites a system, which is interpreted as a computer program. The claim fails to assert the program stored on a computer-readable storage medium so as to be structurally and functionally interrelated to the medium and permit the

function of the descriptive material to be realized. Since a computer program is merely a set of instructions capable of being executed by a computer without a computer-readable storage medium needed to realize the computer program's functionality, it is directed to non-statutory subject matter.

Dependent claims 2-14 are rejected for fully incorporating the deficiencies of their base claim.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1- 16 and 18-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 1:

- the terms “can be” and “may be” render the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The resulting claim does not clearly set forth the metes and bounds of the patent protection desired.

The use of similar exemplary language "*for example*" or "*such as*" was found to be indefinite in the following cases: Ex parte Hall, 83 USPQ 38 (Bd. App. 1949); Ex parte Hasche, 86 USPQ 481 (Bd. App. 1949); Ex parte Steigerwald, 131 USPQ 74 (Bd. APP. 1961).

- Dependent claims 2-15 are rejected for fully incorporating the deficiencies of their base claim.

As to claim 16:

- the terms "*can be*" and "*may*" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The resulting claim does not clearly set forth the metes and bounds of the patent protection desired. The use of similar exemplary language "*for example*" or "*such as*" was found to be indefinite in the following cases: Ex parte Hall, 83 USPQ 38 (Bd. App. 1949); Ex parte Hasche, 86 USPQ 481 (Bd. App. 1949); Ex parte Steigerwald, 131 USPQ 74 (Bd. APP. 1961).
- Dependent claims 18-28 are rejected for fully incorporating the deficiencies of their base claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1- 16 and 18-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lui et al.** (US 20020011993, filed 01/1999) in view of **Ditzik** (U.S. 6415256, filed 11/2000).

As to claim 1:

Lui teaches computer system for providing context information to an input method for enabling advanced input methods to achieve a higher accuracy recognition rate for input to application fields by providing an architecture that

supports applications or forms to specify what type of text of text input they are expecting in their text fields (see the Abstract), comprising:

- an input mechanism for inputting text into plurality of text fields for an application [see ¶¶ 0006- 0008, 0043, 0045, and 0103 → *receive text input or writing (pen or ink) input based upon the selected or deselected state of an input panel selected by the user ... a text entry mode of an application program is enabled in response to the request, including displaying visual feedback indicative of the text entry mode*], wherein each of the plurality of text fields are configured to receive a sequence of text characters [see ¶¶ 0032, 0035, 0038, and 0045 → *any application capable of handling text input (e.g., in the form of ASCII or Unicode characters) may be used with any appropriately-configured input method 64*];
- a context component having an first interface invocable by executable software code for setting a first and second input scopes for respective first and second text fields of the plurality of text fields for the application [see ¶¶ 0032 - 0035 → *a SIP manager 58 to provide a single and flexible interface for a plurality of different input methods 64 ... graphical windowing environment 60 sends information corresponding to the user input data to an application 29 (i.e., the application whose window*

currently has input focus) in the form of that keystroke, mouse or other message placed in the message queue of the application's window], wherein the first and second input scopes are different input scopes and chosen from, among other things, a list of input scopes [see ¶¶ 0033 → a displayable list of available input methods];

- *a recognizer operably coupled to the context component and input mechanism for invoking a second interface of the context component for receiving and applying the first and second input scopes for the respective first and second text fields, such that sequence of text characters are entered into each of the first and second input fields, the sequence of text characters are compared with text within the respective first and second input scopes set in order to determine what text input is expected by the application for the respective first and second text input fields [See ¶¶ 0035-0038 → The selected input method 64 may also communicate information to the SIP manager 58 via the IIMCallback mechanism 61, such as which character or characters were entered by a user, irrespective of whether the character or characters are generated through keyboard selection, handwriting recognition, voice recognition, a formula editor, calculator...the user inputs data at step 306, appropriate data is passed to the SIP manager 58 via the IIMCallback mechanism ... the input method 64 ordinarily first processes the received data ... and*

converts the data to text... one particular input method 64 may convert barcode symbols to Unicode characters representing digits, another input method may convert mathematical entries into a Unicode result... a keyboard-type input mechanism converts user input data received as screen coordinates to a Unicode character that corresponds to the location that the displayed keyboard was contacted. After any such processing, the input method 64 passes the text/character to the SIP manager 58, which in turn passes those digits to the graphical windowing environment 60 (step 308). At step 310, the application 29 receives the character data from the graphical windowing environment 60 as if the user had entered those digits on a physical keyboard, regardless of the input method used].

Lui does not specifically teach "an input scope is a subset of a language used to define what one or more words, numbers, or punctuations can be written and in what order they may be written to form a sequence of text characters in the text input fields."

Ditzik teaches an input scope is a subset of a language used to define what one or more words, numbers, or punctuations can be written and in what order they may be written to form a sequence of text characters in the text input fields [See Col. 4, lines 32-67 → Handwriting recognition system via a pen input means may

transform hand written letters, numbers, punctuation, and symbols into recognizable computer generated text ... the data may be processed in chronological order as it was written].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lui with Ditzik because it would have allowed user to improve handwriting and sketched object recognition accuracy of certain handwriting recognition parameters, either before recognition processing or during the processing.

As to claim 2:

Lui teaches a parameter for passing a list of words [See ¶¶ 0066 – 0072 → The call includes a parameter, pimi, which is a pointer to a data structure (IMINFO) that the Input Method 64 should fill in with appropriate data ... The RegisterCallback method is provided by the SIP manager 58 to pass a callback interface pointer to the Input Method 64].

As to claim 3:

Lui teaches a parameter for passing a list of phrases [See ¶¶ 0085 and 0086 → [P]arameters include uVk, the virtual keycode sent in the WM_KEYUP or WM_KEYDOWN message generated as a result of this function, and a uKeyFlags parameter ... the puChars parameter is a pointer to a buffer

containing the characters to be sent ... use this callback after it has determined an entire character, word or sentence has been entered].

As to claim 4:

Lui teaches a parameter for passing a common input scope [See ¶¶ 0057- 0060

→ The uiAction parameter can include the values SIP_SETSIPINFO,

SPI_GETSIPINFO, SPI_SETCURRENTIM and SPI_GETCURRENTIM.

SIP_SETSIPINFO indicates that pvparam points to a SIPINFO structure].

As to claim 5:

Lui teaches the common input scope comprises a defined format with an associated fixed list of characters [See ¶ 0074 → the size and format of the data are defined by the Input Method 64 ... for Input Methods 64 that wish to provide enhanced functionality or information to applications].

As to claim 6:

Lui teaches a parameter for passing a regular expression [See ¶¶ 0079-0082 and 0086].

As to claim 7:

Lui teaches a parameter for passing a set of input scopes [See ¶ 0072 → the

RegisterCallback method call passes an IIMCallback interface pointer as a parameter to the Input Method 64].

As to claim 8:

Lui teaches a method invoked for obtaining a set of input scopes [See ¶ 0033 → a user interface enabling user selection from a displayable list of available input methods ... the user interface may select an input method 64].

As to claim 9:

Lui teaches a method invoked for obtaining a list of phrases [See ¶ 003 → a user interface enabling user selection from a displayable list of available input methods ... the user interface may select an input method 64].

As to claim 10:

Lui teaches a method invoked for obtaining a list of words [See ¶ 003 → a user interface enabling user selection from a displayable list of available input methods ... the user interface may select an input method 64].

As to claim 11:

Lui teaches a method invoked for obtaining a regular expression [See ¶¶ 0038, 0063, 0066, 0085, and 0090].

As to claim 12:

Lui teaches a recognizer for speech [See ¶ 0085 → speech recognizer Input Method 64].

As to claim 13:

Lui teaches a recognizer for handwriting [See ¶ 0085 → a handwriting recognizer].

As to claim 14:

Lui teaches a recognizer for an input method editor [See ¶ 0033 → Input methods 64 ... equation editor].

As to claim 15:

Lui teaches a computer-readable storage-medium having computer-executable components [See ¶ 0025 → computer-executable instructions].

As to claims 16-22 and 23-24:

Refer to the rejection of Claims 2-6 and 8-9, respectively. Claims 16-22 and 23-24 are the same as Claims 2-6 and 8-9, except Claims 16-22 and 23-24 are method Claims and Claims 2-6 and 8-9 are system Claims.

As to claim 25:

Lui teaches obtaining a list of phrases words [See ¶ 003 → a user interface enabling user selection from a displayable list of available input methods ... the user interface may select an input method 64].

As to claim 26:

Lui teaches obtaining a common input scope [See ¶ 0074 → the size and format of the data are defined by the Input Method 64 ... for Input Methods 64 that wish to provide enhanced functionality or information to applications].

As to claims 27 and 28:

Refer to the discussion of claims 11 and 15 for rejections.

Response to Arguments

4. Applicant's arguments filed 09/25/2007 have been fully considered but are deemed to be moot in view of the new grounds of rejection necessitated by Applicant's amendments.

Conclusion

5. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. N./

Examiner, Art Unit 2176

/Doug Hutton/
Doug Hutton
Supervisory Primary Examiner
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